

(5) A CUSTODIAN WHO SELLS LISTS OF LICENSEES SHALL OMIT FROM THE LISTS THE NAME OF ANY LICENSEE, ON WRITTEN REQUEST OF THE LICENSEE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 76A, § 3(c)(i), (v), (x), (xi), (xii), and (xiv).

Subsections (c) and (h)(3)(ii) of this section are revised to clarify that the "official custodian" adopts the rules or regulations.

In subsection (c) of this section, the former date "July 1, 1983" is deleted as obsolete.

In subsection (d) of this section, the former reference to information "privileged by law" is deleted as unnecessary in light of § 5-106(1) of this subtitle.

In subsection (e) of this section, the former phrase "whether in the classified or nonclassified service" is deleted as surplusage.

Defined terms: "Custodian" § 5-101
"Includes"; "including" § 1-101
"Official custodian" § 5-101 "Person" § 1-101
"Person in interest" § 5-101
"Public record" § 5-101

5-109. PERMISSIBLE DENIALS.

(A) IN GENERAL.

UNLESS OTHERWISE PROVIDED BY LAW, IF A CUSTODIAN BELIEVES THAT INSPECTION OF A PART OF A PUBLIC RECORD BY THE APPLICANT WOULD BE CONTRARY TO THE PUBLIC INTEREST, THE CUSTODIAN MAY DENY INSPECTION BY THE APPLICANT OF THAT PART, AS PROVIDED IN THIS SECTION.

(B) INTERAGENCY AND INTRA-AGENCY DOCUMENTS.

A CUSTODIAN MAY DENY INSPECTION OF ANY PART OF AN INTERAGENCY OR INTRA-AGENCY LETTER OR MEMORANDUM THAT WOULD NOT BE AVAILABLE BY LAW TO A PRIVATE PARTY IN LITIGATION WITH THE UNIT.

(C) EXAMINATIONS.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A CUSTODIAN MAY DENY INSPECTION OF TEST QUESTIONS, SCORING KEYS, AND OTHER EXAMINATION INFORMATION THAT RELATES TO THE ADMINISTRATION OF LICENSES, EMPLOYMENT, OR ACADEMIC MATTERS.